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WILLIAMS, MORGAN & AMERSON, P.C.

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	FACSIMILE TRANSMITTAL SHEET		
DATE:	SEPTEMBER 23, 2004		
TO:	USPTO	TOTAL NO. OF PAGES INCLUDING COVER: 🕱 🤈	
FAX:	703.872.9306	PHONE: 713.934.4053	
FROM:	JEFFREY A. PYLE	10/756,869 DOCUMENT: RESPONSE TO NOTICE TO FILE MISSING PARTS 2300.000600/AUS920031013US1	
	SE REPLY PLEASE	HANDLE ORIGINAL: WILL FOLLOW WILL NOT FOLLOW	

Attached:

- 1. Response to 37 C.F.R. § 1.53(f) Notice;
- 2. Declaration and Power of Attorney; and
- Copy of NTFMP-Filing Date Granted.

Jeffrey A. Pylej Attorney Williams, Morgan & Amerson, P.C. 10333 Richmond | Suite 1100 | Houston, TX 77042 Voice: (713) 934-4053 | Fax: 713-934-7011 email: jpyle@wmalaw.com

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SEP 2 3 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RICHARD J. DENATALE

Group Art Unit: 2641

Serial No.:

Examiner:

SCHAL NO.

10/756,869

Conf. No.:

3402

Filed:

JANUARY 14, 2004

Atty. Dkt.:

2300.000600

AUS920031013US1

CUSTOMER NO.: 46240

For:

METHOD AND APPARATUS

EMPLOYING

ELECTROMYOGRAPHIC SENSORS TO INITIATE ORAL COMMUNICATIONS WITH A VOICE-BASED DEVICE

RESPONSE TO 37 C.F.R. § 1.53(f) NOTICE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8			
DATE OF PACSIMILE:	September 23, 2004		
FACSIMILE NO.:	(703) 872-9306		
***************************************	per or fee is being focsimile to the United Societo the fassimile number med above		

In response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(f), dated July 23, 2004, there are enclosed herewith:

- (a) Declaration and Power of Attorney;
- (b) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

The Commissioner is authorized to deduct the \$130.00 fee required under 37 C.F.R.

1.16(e) and any other fees required under 37 C.F.R. §§ 1.16 to 1.21 from the International

Business Machines Corporation Deposit Account No. 09-0447/AUS920031013US1. Should

any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the

09/23/2004 NO.962 D03 09:27 WMA → USPTO

enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to International Business Machines Corporation Deposit Account No. 09-0447/AUS920031013US1. In the event the monies in that account are insufficient, the Commissioner is authorized to withdraw funds from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2300.000600.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C. CUSTOMER NO. 46240

Date: September 23, 2004

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ATTORNEY FOR APPLICANT(S)

Page 1 of 2



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patters and Trademark Office Added COMMERCATE FOR PASSESS Peters and Tradement SHONES FOR PATENTO

2313-E430

APPLICATION NUMBER 10/756,869

FILING OR 371 (c) DATE 01/14/2004

FIRST NAMED APPLICANT

ATTORNEY DOCKET MUMBER

Kevin B. Ambrose

AUS920031013US1 **CONFIRMATION NO. 3402**

35525 IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333

DALLAS, TX 75380

1777 ME OB OCC 1700 (1700 OCC) OCC (1700 OCC) OCC (1700 OCC)

FORMALITIES LETTER

Date Malled: 07/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

tems Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The Item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filling a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.18(e) of \$130 for a non-small entity, must be submitted with the missing Items Identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

\$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Page 2 of 2

Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE